IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 3150 OF 2004.

M/s. SHILP-I ..Plaintiff

versus

Rajeshkumar C. Gandhi
& Another ..Respondents

SUIT NO. 3151 OF 2004.

M/s. SHILP-I ..Plaintiff

versus

Ashesh C. Gandhi
& Another ..Respondents

Mr.K.R.Parekh for the Plaintiff

Mr.Denzil D'Mello for the defendant

Coram : S.R.Sathe, JJ.
Dated : 8th June, 2007

P.C.

1. Heard learned Advocate for the plaintiff. He seeks withdrawal of the suit unconditionally. The learned advocate appearing for the defendant objects. He submits that he has no objection for withdrawal, however, plaintiff be directed to pay the cost.

2. The learned Advocate for the plaintiff could not point out as to why in the instant case cost

could not be awarded. We can not ignore the fact that the suit is pending since 2004 and the defendant has been certainly put to some inconvenience. The normal rule is cost must follow the event. Hence, suit is dismissed as withdrawn.

2. Plaintiff to pay cost of this suit to the defendant and bear his own.

(S.R.Sathe, J.)